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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

CHARLES MOSER,

Plaintiff,

vs.

DEVIN BALLARD, an Individual;  
PATRICK NEVILLE, an Individual; and  
LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT,

Defendants.

Case Number:  
2:17-cv-01704-APG-NJK

**STIPULATION AND ORDER TO  
CONTINUE TRIAL**

**(FIFTH REQUEST)**

Plaintiff Charles Moser ("Plaintiff"), by and through their attorneys of record, Daniel Marks, Esq. and Adam Levine, Esq. of Law Office of Daniel Marks, and Defendants Las Vegas Metropolitan Police Department (the "Department" or "LVMPD"), Devin Ballard ("Ballard") and Patrick Neville ("Neville") (collectively "LVMPD Defendants"), by and through their attorneys of record, Nick D. Crosby, Esq. and Jackie V. Nichols, Esq., of Marquis Aurbach, hereby submit this joint stipulation to continue the trial date currently set in this case on a stack for the week of November 13, 2023 [ECF No. 48].

Accordingly, the parties hereby stipulate and agree as follows:

1. The Court scheduled the trial stack [ECF No. 48] for the week of November 13, 2023 at 9:00 A.M.

2. Last month, counsel for LVMPD had a family member that passed away unexpectedly and has to deal with family affairs and will not be able to prepare for trial to

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1 occur in November.

2 3. Plaintiff's counsel also indicated that he has multiple Arbitrations, including  
3 some with LVMPD, which conflict with the November stack and would affect his ability to  
4 prepare for trial.

5 4. The Parties agree to vacate the current trial setting on a stack the week of  
6 November 13, 2023 at 9:00 A.M. be vacated and the trial set no earlier than the month of  
7 January, 2024.

8 IT IS SO STIPULATED.

9 Dated this 5<sup>th</sup> day of October, 2023.

Dated this 5<sup>th</sup> day of October, 2023.

10 LAW OFFICE OF DANIEL MARKS

MARQUIS AURBACH

11 By: s/Daniel Marks

By: s/Jackie V. Nichols


12 Daniel Marks, Esq.  
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19 **ORDER**

20 IT IS SO ORDERED that the trial date set for November 13, 2023 in this matter is  
21 VACATED and reset for January 22, 2024 at 9:00 A.M. and calendar call on January 16,  
22 2024 at 9:00 AM. in LV Courtroom 6C.

23 IT IS SO ORDERED this 5th day of October, 2023.

24   
United States District Court Judge